

**CITY OF BRIDGEPORT
ORDINANCE COMMITTEE
TUESDAY, FEBRUARY 25, 2014
6:00 PM**

ATTENDANCE: Co-chair R. Paoletto, Co-chair E. Martinez-Walker
Council members: Torres, DeJesus, Martinez, Vizzo-Paniccia

CITY STAFF: Jodie Paul-Arndt, Deputy CAO/CitiStat Director
Christopher Rosario, Anti-Blight Director

Co-chair Paoletto called the meeting to order at 6:04 p.m.

Approval of Committee Minutes: September 24, 2013 (Regular Meeting)

**** COUNCIL MEMBER MARTINEZ MOVED TO ACCEPT THE MINUTES
** CO-CHAIR PAOLETTO SECONDED
** MOTION PASSED UNANIMOUSLY**

Approval of Committee Minutes: October 7, 2013 (Special Meeting)

**** COUNCIL MEMBER MARTINEZ MOVED TO ACCEPT THE MINUTES
** CO-CHAIR PAOLETTO SECONDED
** MOTION PASSED UNANIMOUSLY**

Approval of Committee Minutes: October 7, 2013 (Public Hearing)

**** COUNCIL MEMBER MARTINEZ MOVED TO ACCEPT THE MINUTES
** CO-CHAIR PAOLETTO SECONDED
** MOTION PASSED UNANIMOUSLY**

Approval of Committee Minutes: November 4, 2013 (Special Meeting)

**** COUNCIL MEMBER MARTINEZ MOVED TO ACCEPT THE MINUTES
** CO-CHAIR PAOLETTO SECONDED
** MOTION PASSED UNANIMOUSLY**

Approval of Committee Minutes: November 4, 2013 (Public Hearing)

**** COUNCIL MEMBER MARTINEZ MOVED TO ACCEPT THE MINUTES
** CO-CHAIR PAOLETTO SECONDED
** MOTION PASSED UNANIMOUSLY**

It was noted that Council members: Torres, DeJesus and Martinez Walker abstained from voting on the minutes, because they weren't on the committee at the time the minutes were recorded.

Co-chair Paoletto stated that the agenda would be taken out of order.

- . **37-13** Proposed Amendments to the Municipal Code of Ordinances, Chapter 15.08 Building Permits and Fees, amend Sections 15.08.010 Building permit and related fees and Section 15.08.020 Building permits to be withheld due to delinquent taxes and user fees.

Jodie Paul-Arndt stated that the ordinance generated from joint inspection committee meetings to clarify an individual obtaining a building permit. She explained that sometime work that is done leads to blight and they want to ensure that permits are being done in the appropriate matter to avoid blight.

Co-chair Paoletto recalled that the information regarding this item was distributed during a prior council meeting; noting that Jodie didn't have extra copies available tonight.

Ms. Paul-Arndt reviewed the following sections of the ordinance as they were outlined – *reference the copy of the ordinance for detailed information.*

Section 15.08.010 **Building permit and related fees – paragraph K-Anti-Blight Violations** –of the ordinance as it was outlined in the document regarding the removal of construction debris/waste.

Section 15.08.010- **paragraph L – Suspension /Abandonment of Work** – this policy is to put a stop to work if the individual doesn't have a valid permit.

Co-chair Paoletto asked if the committee was aware of the Joint Inspection Committee that is made up of a variety of departments that meet once a week to discuss problem properties in the city and then come up with strategies to more efficiently address the issues related to the challenging properties – *it was noted that this relates to the new or amended language outlined in the ordinance.*

Section 15.08.020 **Building permits to be withheld due to delinquent taxes and user fees – paragraph B** – the language outlines confirmation from the tax collector and/or WPCA in writing; via email, memo etc.

Co-chair Paoletto reminded the committee if they move forward with an approval tonight, a public hearing must be scheduled for this item. Council member Torres asked if all the items were approved tonight, would they require a public hearing. Co-chair Paoletto said yes.

Council member Torres asked what sort of conditions lead to blight. Ms. Paul-Arndt stated that demolition materials that may be left on the property could lead to blight. She explained that if a person is taking out a permit, they sometimes think that exempts them from blight, so the blight ordinance clarifies that.

Council member Torres asked what the time constraint was if construction debris is left any length of time. Ms. Paul-Arndt stated that would be the judgment of the building official. They will provide proceed with the normal blight ordinance. Mr. Rosario concurred.

Council member Torres asked what the requirements were for the dumpster. Ms. Paul-Arndt read the language outlined in the ordinance pertaining to the matter. She commented that the dumpster should be placed on site during the construction phase and it should be removed by the contractor upon completion of the project.

Co-chair Walker-Martinez questioned when the contractor places a dumpster on site, are they penalized for the load of the dumpster when it's time to pick it up. She also wanted to know if there is a deadline to remove it or if they are fined a fee if it's not removed. Ms. Paul-Arndt said the ordinance doesn't specifically address that issue, however; she said there is the anticipation that once construction is done, the dumpster should be removed as long as the debris is contained. She added that anything cited for blight would be the property owner's responsibility, who will then contact the contractor or other responsible party. Mr. Rosario stated that if it becomes a health issue, then the health department would step in to demand removal of the dumpster.

**** COUNCIL MEMBER MARTINEZ MOVED TO APPROVE**

**** CO-CHAIR MARTINEZ-WALKER SECONDED**

**** MOTION PASSED WITH FOUR VOTES IN FAVOR AND ONE ABSTENTION
(COUNCIL MEMBER VIZZO-PANICCIA)**

***Not on consent calendar**

**** COUNCIL MEMBER MARTINEZ MOVED TO SCHEDULE A PUBLIC HEARING**

**** COUNCIL MEMBER TORRES SECONDED**

**** MOTION PASSED UNANIMOUSLY**

39-13 Proposed Amendments to the Municipal Code of Ordinances, Chapter 8.76 Anti-Blight Program, amend Section 8.76.020 Definitions, Section 8.76.040 Enforcement and adding New Section 8.76.052 Allocation of Capital Gain.

Jodie Paul-Arndt reviewed the following sections of the ordinance as they were outlined – *reference the copy of the ordinance for detailed information.*

Section 8.76.020 – **Definitions – paragraph 8. a. ii** – the removal of graffiti was added to the ordinance.

Paragraph 8.a.iii – goes hand in hand with the building ordinance as it was read and reviewed. It pertains to closing up any loop holes regarding permits. It was stated that the ordinance needed to be clarified for hearing officers to determine if they should assess the property for blight. **Paragraph 9** – defines “Abate”, which means to remove or eliminate the graffiti and/or clean, secure and repair the blighted premises by such means, in such a manner and to such an extent as is necessary. It was stated that this specifies abandoned or distressed buildings and the “owner” is also defined as a person or persons on record.

Section 8.76.040 – **Enforcement** - outlines the general statute and **paragraph I** was added.

Section 8.76.052 – **Allocation of capital gain** – allows for the use of money coming in from fines and assessed by the officer and related to special projects in the Neighborhood Revitalization Zones.

Co-chair Paoletto asked for clarification in Section 8.76.040 under Enforcement – paragraph F. He wanted to know who the development administrator is. Ms. Paul-Arndt stated that the Office of Planning and Economic Development is the director or designee. Co-chair Paoletto questioned with the steps in place, is it possible to go after properties under the general statute; in terms of enforcing eminent domain or seize. Mr. Rosario stated that they don't have the funds to go to the city attorney to request foreclosure or impose blight fines. He explained that the property generally needs to be flipped before fines are recouped, then it falls under OPED for selling etc.

Co-chair Paoletto commented that Chris Rosario sits on the Governor's Task Force for Anti-Blight as a representative for the City of Bridgeport. He further commented that the

purpose of the task force is to look at what they are doing in other cities and other cities look at what Bridgeport is doing.

Council member Martinez asked if the changes would affect people in the community, as to how they will be informed about the changes to the ordinance(s). Ms. Paul-Arndt said that she hoped this could be accomplished through holding the public hearings. Mr. Rosario said it could also be done through the NRZ meetings and social media. Council member Martinez said she hoped that they implemented those means of communication so that people are aware.

Council member Vizzo-Paniccia asked about the legal terms advertised on the legal page for notifying the public. She relayed that the information doesn't read in layman terms and she thought that when people apply for a permit, it should be outlined in writing. She emphasized that the applicants should be informed so that they clearly understand the information without the legal jargon.

Council member Vizzo-Paniccia asked if it was possible to submit a new line item in the budget for legal fees, referencing Mr. Rosario's comments regarding the funds to go to the city attorney to request foreclosure or impose blight fines. Ms. Paul-Arndt said they were advised that they need to have the language in the ordinance before they can add a line item.

Council member Vizzo-Paniccia asked if there was any way to get flyers printed in the newspaper, possibly inserted with grocery store inserts, as an easier means for residents to obtain access to the information.

Council member Vizzo-Paniccia stated that the city also needs to take care of in-house properties. She said they need to clean up their areas, just as they expect it for residents. Mr. Rosario responded that they are currently compiling an inventory of properties to take care of home base.

Council member Vizzo-Paniccia stated that the city needs to actively go after the phone companies, cable companies to address the unsightly appearance of wires hanging and wrapped around poles and boxes hanging off poles with exposed wires. She said the cable companies need to be notified that if they don't clean up the problem within thirty days, they will be fined for blight. Mr. Rosario acknowledged the comments.

Co-chair Martinez-Walker stated that she was all for anti-blight policy. However, she had a concern about the seniors and disabled persons not being able to keep up their property due to lack of funds or other reasons. She questioned what was proposed for

those people in a case where someone might dump something on their property. Ms. Paul-Arndt responded that's why Section 8.76.052 was being implemented to help individuals that need help. She said the intention is never to go after those that are disabled or elderly. She explained that if fines are assessed, there is an appeal process to contest the fine. She further commented that the situation will also be a provision to put money back in.

Mr. Rosario made a point that it's not always known whether or not a property owner is elderly or disabled and they always try to suggest inexpensive options to help clean up the property.

Co-chair Paoletto commented that he has worked with Mr. Rosario on various projects and he has worked with the senior CHORE Program, with disabled persons and Iris Molina from the Department of Social Services. He clarified that any outlet that can be found to assist is utilized.

Co-chair Martinez-Walker commented that she was aware that Mr. Rosario does a great job in addressing problems immediately. However, she agreed with Council member Vizzo-Paniccia that another form of communication is definitely needed to get information out to the residents. Co-chair Paoletto clarified that although Council member Vizzo-Paniccia had a good idea, he felt that was a job for the administration. He noted that the sentiments from the community is to outreach to as many people as possible.

Council member Vizzo-Paniccia asked if there is a policy in place to put a lien on a homeowner's property. Mr. Rosario said any resource that could be used will be. Such as, social services, police department, volunteers and donations. He explained that liens are generally applied immediately, but for senior homeowners, they try to work with other departments as soon as possible to address the issue.

Mr. Rosario mentioned that hearing officers are appointed by the Mayor, per Council member Vizzo-Paniccia's question.

Council member Martinez stated that she has worked with some of the people that have been fined and the matter was addressed immediately by Mr. Rosario and his staff.

Council member Torres commented about the warning sticker that they place on a property. Mr. Rosario stated that they give a 5-day warning. They send a warning letter that addresses the specific problem and the person then has five days to respond. They

also receive an intent to fine and if the problem isn't corrected, they receive an additional five days, so total they have ten days.

Ms. Paul-Arndt stated that all reported work is tracked in the system. She said that she could send the information that is tracked in the system that is relevant to a specific district. Co-chair Paoletto recommended that she talk to Council President McCarthy to relay to him the information that is available in the system, so that everyone is on the same page.

Council member Torres asked about the capital gain clause. Mr. Rosario said they have their own separate account and once they receive payment; it's put into a separate bank account. Ms. Paul-Arndt added that it may go into a general fund, but she wasn't sure. Council member Vizzo-Paniccia stated that there was a previous policy that the money goes into the general fund. Ms. Paul-Arndt said that policy changed and payment currently goes back into the department.

Council member Vizzo-Paniccia asked about receiving reports on Sunday. She requested that they receive them on Friday to allow time to review the information. Ms. Paul-Arndt stated that she wasn't sure if they could be sent at a specific time, but the day they are sent could be changed to Friday.

**** CO-CHAIR MARTINEZ-WALKER MOVED TO APPROVE
** COUNCIL MEMBER MARTINEZ SECONDED
** MOTION PASSED UNANIMOUSLY**

***Consent calendar**

**** CO-CHAIR MARTINEZ-WALKER MOVED TO SCHEDULE A PUBLIC HEARING
** COUNCIL MEMBER DeJESUS SECONDED
** MOTION PASSED UNANIMOUSLY**

38-13 Proposed Amendments to the Municipal Code of Ordinances, Chapter 3.12 Equal Opportunity Requirements for Contractors, amend Section 3.12.130 Minority Business Enterprise Program.

Ms. Paul-Arndt stated that she would briefly highlight the changes in Section 3.12.130 – **Minority business enterprise program** that outlined formal contracts; prime contractor; prompt payment; sub-contractor; volunteer programs and waiver. She referred to section C. Guiding Principles; paragraph 4 and section D. Establishment of Race and Gender-Conscious Remedies; paragraph 1.a.

Co-chair Martinez-Walker suggested tabling the item to allow the committee to further review the ordinance changes, discuss and/or amend the ordinance.

**** CO-CHAIR MARTINEZ-WALKER MOVED TO TABLE**

Council member Martinez suggested that they hold a working meeting to allow the committee to submit possible changes to the ordinance.

Council member Vizzo-Paniccia stated that she never received a copy of the ordinance. Council member Torres said he would provide her with a copy of the copy he received. It was noted that she could also contact Ms. Paul-Arndt for additional information.

**** COUNCIL MEMBER MARTINEZ SECONDED**

**** MOTION PASSED UNANIMOUSLY**

Co-chair Paoletto stated that all the committee members should be sent a copy of the ordinance via email.

16-13 Council Review and Possible Revisions to the City's Purchasing and Procurement Ordinance, Chapter 3.08 City Contract and Purchasing Procedures.

Co-chair Paoletto stated that Council President McCarthy submitted this item; Council member Torres submitted item 20-13 and Jodie Paul-Arndt would review item 34-13 tonight.

He mentioned that Council President McCarthy wanted the new members to be advised that these items were previously discussed and tackled during the last council member session and they have been in process for over a year.

He further stated that item 16-13 wouldn't be moved on for a vote tonight and he didn't believe that the item would be a one meeting discussion, noting that he expected follow up meetings.

**** COUNCIL MEMBER TORRES MOVED TO TABLE**

**** COUNCIL MEMBER VIZZO-PANICCIA SECONDED**

**** MOTION PASSED UNANIMOUSLY**

20-13 Proposed Amendments to the Municipal Code of Ordinances, Chapter 3.08 City Contracts and Purchasing Procedures, amend Section 3.08.070 Purchase of Goods and General Services, Subsection (B).

Council member Torres made a request to table item 20-13 for the purpose of allowing him to obtain more background information on the procurement/purchasing process.

**** COUNCIL MEMBER TORRES MOVED TO TABLE
** COUNCIL MEMBER VIZZO-PANICCIA SECONDED
** MOTION PASSED UNANIMOUSLY**

34-13 Proposed Amendments to the Municipal Code of Ordinances, Chapter 3.08 City Contract and Purchasing Procedures, amend Section 3.08.070 Purchasing Procedure and Section 3.08.090 Disqualification of vendors from doing business with the City-Procedure.

Ms. Paul-Arndt stated that she has been working with an internal committee to look at the purchasing process – *highlighted as follows*:

She referred to page 3 – Section 3.08.070 – **Purchasing procedure; paragraph A. Definitions.** She commented that they were trying to boost business in the city and support our own based on what qualifies a city based business.

Council member Vizzo-Paniccia stated that she was confused regarding tabling of item 20-13. She said she thought that item 34-13 should be discussed in conjunction with item 20-13. She questioned the internal committee making changes to the purchasing procedure that she said weren't supposed to be done until after the committee did their research – *she mentioned as an example the matter of the Sikorsky Airport situation.* She further questioned why they were making changes before the committee had a chance to complete their research.

Co-chair Paoletto clarified that the document before them tonight was new to the entire committee and this was a new session to discuss it. He added that they internally addressed all the things that could be an issue. He pointed out that Council President McCarthy's item 20-13 was an old document that contained the new changes. He mentioned that it would be a good idea to have Ms. Paul-Arndt review the item tonight.

Council member Vizzo-Paniccia clarified that Council President McCarthy's item is in regard to looking into the procurement process and it was specifically brought about due to the Sikorsky Airport situation.

**** COUNCIL MEMBER VIZZO-PANICCIA MOVED TO TABLE
** COUNCIL MEMBER TORRES SECONDED
** MOTION PASSED WITH THREE VOTES IN FAVOR; ONE VOTE IN
OPPOSITION (COUNCIL MEMBER DeJESUS and ONE ABSTENTION
(COUNCIL MEMBER MARTINEZ)**

ADJOURNED

**** COUNCIL PRESIDENT PAOLETTO MOVED TO ADJOURN
** COUNCIL MEMBER DeJESUS SECONDED
** MOTION PASSED UNANIMOUSLY**

The meeting was adjourned at 7:25 pm.

Respectfully submitted,

Diane Graham
Telesco Secretarial Services